Previous references.

Sans 6 24 881
LB 130-22 881-3
Sans 55-21 881-25

1924
mt
Sans

File No. 6-24
Serial Nos. 223

Later references.

Law 6-91-L738
Sans 6-26 (1-12
Med. 187-28 (1-6)
83-31 541-6
P.H. 33-34 1-2

p 214

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for Suppli 24

SUBJECT

Transfer of the Health Officer of the Bangalore City Municipality to impose Cities Municipalities Grant of Rs 1,000/- from State Funds for expenditure in Connection with the Construction of Madagiri-Hindupur Road

3 Do.

The Municipal Commissioner
Bangalore City
No. 2814/d 30.9.24

States that Govt. do not agree with the Contention of the Municipal Council that as they were not Consulted in the matter, of posting the new H.O the extra Cost involved in the arrangement should be met from State funds

HS 1.12.24

G. R. S. III-2]

WD 2310—GPB—10,000—31-5-24

General and Revenue Secretariat.

San File No. 6 of 1924

Serial No. 2

From the Municipal Commissioner, Bangalore City Municipal Council.

No. 29 of 24-25. dated 19/20th Aug. 1924.

Submits for orders the resolution of the -- Municipal Council to the effect that the transfer of an officer and posting another officer - without consulting the Municipal Council is - - opposed to the spirit of the Local Self-Government Scheme and the letter of the Municipal Regulation which requires specific sanction of -- Council, before hand, as regards appointments - - carrying salaries over Rs. 100 per mensem, and - inconveniences the budgets of the Municipal - - Council and that in this view Government be requested to make good the difference in the salary of the old and new Health Officers.

Submitted.- Kind reference is in this connection invited to paras 3 and 4 in the office notes of the Sanitary File 6 of 24 where it is stated that the question of the Governmen bearing any share of the cost on account of the pay of the Health Officer does not arise and -- that "it will be open to the Bangalore City Municipal Council to employ a Health Officer of - the 1st class in place of the officer of the 2nd class now working <u>if and when Government otherwise provide for or withdraw the present officer</u>" and to para 8 in the same file where it is ordered that the extra cost should be

Flag S.

Flag D

NOTE—Contn. sheet.

Serial No.

borne by the Municipal Council.

(2) Submitted for orders The tappal abstract relating to this subject and seen by the Dewan is placed in the file. The L.B. File 130-22 (1-3) where the President, City Municipal Council, states that "the practice till now is that appointments and promotions of officials drawing less than Rs. 100 per mensem are made by the --- President while in the case of officers drawing Rs. 100 and above the subject is placed before the Council and also submitted to Government for approval," is also put up.

Flag X

23-8-24.

(3) The appointment rather the transfer is ordered under Section 177 (2) (ii) and 180 of the Madras and in consonance with the instructions contained in the last para quoted above of Government Order No. L. 2493-98/San. 55-21-5, dated the 29th September 1923, copy of which was communicated also to the Municipal Council at the time.

Flag D.

Flag A.

Typed for sl under fr Dr 3/16599-9/San 23-7-68 1/3/1919

25/8

L & L. Secy).

Renumbered as Sanction 1079

5) In the present case the Hon. Commissioner was consulted about the work of the Health officer & he gave his opinion that a change seemed desirable - (Flag J in file 206.24) Thereupon the transfers were effected. There is nothing in the Regn which expressly provision requires the sanction of Council for the transfer of Health officer on the other hand para the Govt

NOTE—Contn. sheet.

Serial No.

have power of control over these subordinates under Section 180. The contention of the learned Counsel is therefore, not tenable.

As to the meeting the extra cost, the previous proceedings make it clear that they have to bear the extra cost.

Dewan Myself be moved accordingly

Why I am to spend on roads & bridges why may provide for that can even they look after Such a scheme will entail be more expenditure & scheme

Y 11.9

11.9

DEWAN'S OFFICE, RECD. ON 11 SEP. 1924 Reg. No. 2099

Please put up a draft

22/9

Draft submitted

23/9/24

Please type the draft

23/9

approved

24.9

NOTE—Conton. sheet.

4/
G.R.S. III-21

1316

Saw File No. 6 of 1924

General and Revenue Secretariat

Serial No.

12) Attached Draft Circular

Draft approved by the Secretary & marked for issue.
(Vide previous page)

No L 2814 & 3019/24 to Government 3
Bangalore city. States that Govt do not agree with the contention of the Medical Officers ~~should have been~~ consulted in the matter ~~and that~~ the Extra cost involved in this arrangt should be met from State Funds

1/10/24

10533

OFFICE OF THE CITY MUNICIPAL COUNCIL,

Bangalore City, Dated, 19th AUGUST 1924.

GENERAL & REVENUE SECRETARIAT. 21. AUG. 1924 LOCAL SELF GOVT. BRANCH

From

M. G. KRISHNASAMI RAO, ESQ., B.A.,
MUNICIPAL COMMISSIONER, MUNICIPAL COUNCIL,
BANGALORE CITY.

To

B. Nagappa, Esq., Bar-at-Law.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Local and Legislative Departments,
BANGALORE.

Sir,

With reference to your Memo.No.L.401 dated 19-7-1924 forwarding a copy of Notification No.L.400/San.6-24-1 dated 19-7-1924 ordering the transfer of the Health Officer of the Bangalore City Municipality to the Mysore City Municipality and vice versa and observing that the extra cost involved by the transfer of Mr.J.V.Mascarenhas to Bangalore, should be borne by the Municipal Council, I have the honor to submit herewith for the information and orders of Government a copy of resolution No.20 of the Council at its meeting held on the 2nd August 1924.

I have the honor to be,

Sir,

Your most obedient servant,

M G Krishnasami

Municipal Commissioner.

Forwarded with compliments.

President,
City Municipal Council,
Bangalore.

D.N.R

PROCEEDINGS OF AN ORDINARY GENERAL MEETING OF THE CITY MUNICIPAL COUNCIL, BANGALORE, HELD ON SATURDAY THE 2ND AUGUST 1924, IN THE COUNCIL CHAMBER AT 8.A.M.

------:oOo:------

P R E S E N T.

1. B. K. Garudachar, Esq., Honorary President,
2. B. V. Krishniengar, Esq., Honorary Vice President.

COUNCILLORS.

1. Mr. C.V. Narasimha Iyengar, B.A., B.L.,
2. " K. Chinnaswami Chetty,
3. " V.N. Hanumanthappa,
4. " R. Ramachandra Rao Scindia,
5. " Nynkala Mallayya,
6. " L. Adeppa,
7. " K.V. Ramaswami Chetty, B.A.,
8. " T. Muniswappa,
9. " R. Gopalaswami Iyer,
10. " S. Venkatachela Iyengar, B.A., B.L.,
11. " S. Venkataraman Iyer, B.A.,
12. Mr. C. Nanjavadana Rao, B.A., B.L.,
13. " H. Krishnappa, B.A.,
14. " H.V. Chandrasekharayya, B.A. B.L.
15. " P. Subbaramachetty,
16. Abo Sahib Mr. B. Channaiya,
17. Mr. J. N. Isaac, B.A., M.B.E.,
18. " M. Abbas Khan,
19. " S. Abdur Rahmon, B.A.,
20. " S. Venkataranga Iyengar,
21. Rev. W.H. Thorp, B.A.,
22. Mr. V.S. Thiruvengadaswami Mudali
23. Mr. G. Muniappa.

A B S E N T.

1. Mr. P.M. Basappa,
2. " G. Siddaveerappa,
3. Mr. K. Raghavendra Rao,
4. " P. Murugesam Pillai,
5. Mr. J.S. Narasinga Rao.

-------:oOo:------

X X X X X

Subject No.20:- Memo.No.L.401 dated 19th July 1924 from the Secretary t Government, Local and Legislative Departments, forwarding a copy of Governme Notification ordering in the interests of public service the transfer of Mr. M.G.Srinivasa Peidpet, L.M.S., B.S.Sc., Health Officer, Bangalore City Municipality to Mysore City Municipality and of Mr. J.V. Mascarenhas, M.B., C.M., D.P.H D.T.M., Health Officer, from Mysore City Municipality to Bangalore City Muni pality, with the observation that the extra cost involved should be borne by the Council.

Resolution:- In recording these transfers ordered by Government, Mr. C.V Narasimha Iyengar proposed the following proposition:-"The Council feels --- constrained to observe that the action of Government in transferring the --- Health Officer without previously consulting it and posting another officer in his place also without previous consultation, is opposed to the spirit of the Local Self Government Scheme and to the letter of the Municipal Regulation which requires specific sanction of the Council before-hand, as regards appointments, carrying salaries over Rs.100/- per mensem.

2. The Council also resolves that the posting of the Healt Officer on a higher salary than what has been provided in the sanctioned --- budget is inconvenient and financially unsound.

3. It is further resolved that in view of the above resol tion, the Government be requested to make good the difference in the salary of the old and the new Health Officer.

This was seconded by Mr. R. Gopalaswami Iyer and support by Mr. B.V. Krishniengar.

The proposition was put to votes and was carried, 22 voting "for" and 2 "against" it.

X X X X X X

Sd/. B.K. Garudachar,
President.

"C O P Y"

M G Srinivasa Rao

Municipal Commissioner
City Municipal Council
Bangalore.

Mr

D.N.R.

Sans 6-24-3

The Ml. Commr.,
B'lore City Ml. Cl.,
B A N G A L O R E.

Thro The President,
City Ml. Cl.,
B A N G A L O R E.

Sir,

With reference to your letter -- No. 29 of 24-25, dated the 19/20th -- August 1924 submitting for the orders of Government a copy of resolution -- passed by the City Municipal Council, Bangalore, to the effect that the - - transfer of one Health Officer from - the Municipality and the posting of - another to it without consulting the Municipal Council is opposed to the - spirit of the Local Self-Government - Scheme and that Government be request- ed to make good the difference in the salary of the old and new Health Of- ficers, I am directed to invite your attention to G.O. No. L.2493-8, dated the 29th September 1923 fixing the -- number of officers of the Public - - Health Department and to state that - the transfer was effected after con- sulting you. There is no provision in the Municipal Regulation expressly requiring the sanction of the Council for the transfer of Health Officers and that on the other hand the Govern- ment have powers of control over their subordinates under Section 180 of the Mysore Municipal Regulation. In - these circumstances, Government do not

Flag. I

agree with the contention of the Municipal Council that they should -- have been consulted in the matter -- and that the extra cost should be -- met from State Funds.

2. I am, however, to add that - if the Municipal Council do not depend on Government Servants as Health Officers. they may provide for their own men, subject to Government approval; but it is considered that -- such a scheme will certainly be more inconvenient and expensive.

I have, etc.,

FOR SECY., TO GOVERNMENT,
L & L. DEPARTMENTS

E.W.M.
24.9.